

### **REMARKS**

In the Final Office Action, the Examiner rejected claims 6 and 9-12 under 35 U.S.C. 102(e) as being anticipated by International Publication WO 01/65441 ("Norris").<sup>1</sup> Applicants respectfully traverse the rejections in the Final Office Action.

By this amendment, Applicants have amended claims 6, 9, and 10, and added new claim 13. Claims 6 and 9-13 are pending in the application. Applicants respectfully submit that the pending claims are in condition for allowance and request reconsideration and reexamination of this application.

### **AMENDMENTS TO THE CLAIMS**

By this amendment, Applicants have amended claim 6 to recite "information conversion means for selecting a second main ingredient having properties sufficiently similar to the confidential main ingredient to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient, but without using or revealing the first main ingredient." Applicants have also amended claim 9 to recite "information conversion software that selects a second main ingredient having properties sufficiently similar to the confidential main ingredient to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient, but without using or revealing the first main ingredient." Moreover, amended claim 10 requires "selecting a second main ingredient having properties sufficiently similar to the confidential main ingredient to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient, but without using or revealing the

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<sup>1</sup> The Final Office Action refers to this publication as "Norris et al." The publication, however, lists Steven Norris as an agent, not an applicant.

first main ingredient.” Support for these amendments may be found, for example, at page 28, lines 14-page 29, line 5 of the specification.

New claim 13 recites a medicine prototype support system having an information conversion means that “selects the second main ingredient such that it is impossible to estimate the development of the confidential first main ingredient from the second main ingredient.” Support for new claim 13 may be found, for example, at page 29, lines 5-22 of the specification.

### **CLAIMS 6 AND 9 ARE ALLOWABLE OVER NORRIS**

Norris does not describe information conversion means or information conversion software “for selecting a second main ingredient having properties sufficiently similar to the confidential main ingredient to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient, but without using or revealing the first main ingredient,” as required by claims 6 and 9, respectively.

In the Final Office Action, the Examiner contends that comparison 809, found in Fig. 8 of Norris, corresponds to the claimed “information conversion means” and “information conversion software.” (Final Office Action at 3-4.) According to page 16 of Norris, “Fig. 8 provides an example flow diagram of the process of the customer stepping through the formulation website to derive a set of formulations.” First, “the customer enters information that defines the formulation application, e.g., coatings, glue, clock circuits, etc.” (Norris at 16.) Next, “the customer enters limits and prioritizes features in selecting the formulation (step 804).” *Id.* This definition of desired application and features results in a set of requirements in step 805. *Id.* The requirements are used to generate a query resulting in a set of matching results in step

807. *Id.* After receiving the results, the customer can review the results and request comparison data in steps 808 and 809. *Id.*

Comparison step 809 neither describes nor suggests selecting a second main ingredient “having properties ... similar to the confidential main ingredient,” like the information conversion means of claim 6 or the information conversion software of claim 9. Instead, Norris describes “entering information that defines a formulation application, e.g. coatings, glue, clock circuits, etc.” and defining a “set of requirements” based on this application. *Id.* at 16 (emphasis added); see also Figures 12 and 13. Thus, comparison step 809 uses the intended application and anticipated requirements—not the properties of a confidential first main ingredient—to identify the formulations that the Examiner contends correspond to the claimed second main ingredients.

Moreover, Norris certainly does not disclose selecting a second main ingredient with properties sufficient “to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient, but without using or revealing the first main ingredient.” Norris focuses on finding formulations potentially useful for an intended application, not substituting one ingredient for another during prototyping.

For at least these reasons, claims 6 and 9 are allowable over Norris.

#### **CLAIMS 10-12 ARE ALLOWABLE OVER NORRIS**

Amended claim 10 requires “selecting a second main ingredient having properties sufficiently similar to the confidential main ingredient to permit substitution thereof when making a prototype similar to a prototype using the first main ingredient, but without using or revealing the first main ingredient.” For at least the reasons set

forth above, Norris fails to disclose or suggest at least this element of claim 10. Claims 11-12 are allowable at least due to their dependence from claim 10.

**CLAIM 13 IS ALLOWABLE OVER NORRIS**

New claim 13 recites a medicine prototype support system having an information conversion means that "selects the second main ingredient such that it is impossible to estimate the development of the confidential first main ingredient from the second main ingredient." Norris does not disclose at least this element of claim 13.

**CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

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By: 

John M. Romary  
Registration No. 26,331

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